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INTERNATIONAL DEVELOPMENT LTD.,
REDWOOD CAPITAL ADVISORS, LLC,
STEPHEN GOODMAN, and S. DICK SARGON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

(1) VIESTE, LLC, an Indiana corporation; and,
(2) VIESTE DEVELOPMENT, LLC; an
Indiana corporation,

Plaintiffs,

v.

(1) HILL REDWOOD DEVELOPMENT,
LTD., a British Virgin Islands corporation;
(2) HILL INTERNATIONAL, INC., a
Delaware corporation;
(3) HILL INTERNATIONAL
DEVELOPMENT LTD., a British Virgin
Islands corporation;
(4) REDWOOD CAPITAL ADVISORS, LLC,
a Delaware corporation;
(5) STEPHEN GOODMAN, individually; and
(6) S. DICK SARGON, individually;

Defendants.

AND RELATED COUNTER-CLAIM.

Case No. C09-04024 JSW

~~[PROPOSED]~~ ORDER GRANTING
MOTION FOR LEAVE TO FILE
~~EXCERPTS OF DEPOSITIONS AND~~
DOCUMENTS DESIGNATED AS
“CONFIDENTIAL” OR “HIGHLY
CONFIDENTIAL – ATTORNEYS’
EYES ONLY” UNDER SEAL

[LOCAL RULE 79-5(d); DKT. NO. 305]

Trial Date: August 8, 2011

~~[PROPOSED]~~ ORDER GRANTING MOTION TO SEAL

Pursuant to Local Rule 79-5(d), Defendant S. Dick Sargon ("Defendant") has filed a declaration in support of Plaintiffs' Motion For Leave To File Excerpts Of Depositions And Documents Designated As "Confidential" Or "Highly Confidential – Attorneys' Eyes Only" Under Seal [Dkt. No. 305] ("Motion"). Defendant's declaration follows this Court's order [Dkt. No. 310] denying without prejudice Plaintiffs' Motion and requests that Exhibit 40, submitted by Plaintiffs in support of their Reply to Defendants' Opposition to Plaintiffs' Motion for Summary Judgment [Dkt. No. 303] be filed under seal because it contains private financial information and was produced and designated by defendants as "Confidential – Attorneys' Eyes Only" under a Protective Order in this action.

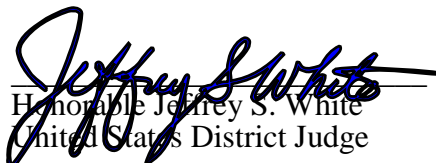
Federal Rule of Civil Procedure 26(c) provides broad discretion for a trial court to permit sealing of court documents. Fed. R. Civ. Proc. 26(c). Civil Local Rule 79-5(a) also provides that this Court may order documents sealed if they are "privileged or protectable as a trade secret or otherwise entitled to protection under the law"

Defendant has filed a declaration required under Local Rule 79-5 to provide evidence of good cause for this Court to permit filing under seal. That declaration establishes both that defendants have considered and treated the information contained in the subject materials as confidential and that public disclosure of such information would result in a particularized harm or prejudice to Defendant. *See Phillips v. General Motors Corp.*, 307 F.3d 1206, 1211 (9th Cir. 2006). Accordingly, for good cause shown, the Court ORDERS that the following document shall be filed under seal:

1. Exhibit 40, which Plaintiffs seek to submit as an exhibit to the Declaration of Patricia L. Peden [Dkt. No. 304] in support of Plaintiff's Reply To Defendants Opposition to Plaintiffs Motion for Summary Judgment.

IT IS SO ORDERED

Dated: May 18, 2011


Honorable Jeffrey S. White
United States District Judge

Exhibits 29 and 37 shall be filed in the public record.

The Court advises the parties that it shall rule on Defendants/Counterclaimants' renewed motion to file excerpts of depositions under seal (Docket no. 296) filed on May 13, 2011, when it resolves the motions for summary judgment.